



"CERTIFIED TRUE COPY"

State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY CEMETERY BOARD
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

CHRISTINE TODD WHITMAN
Governor

January 17, 2001

JOHN J. FARMER, JR.
Attorney General
MARK S. HERR
Director

Frank R. Rinando, Jr.
Garden State Crematory
4101 Kennedy Boulevard
North Bergen, New Jersey 07047

Mailing Address:
P.O. Box 45036
Newark, NJ 07101
(973) 504-6553

Re: Failure to file cemetery's most current price list
Failure to make deposits to M&P Trust Fund on a monthly basis

Dear Mr. Garzon:

This is to advise you that the New Jersey Cemetery Board has reviewed certain information regarding the fact that Garden State Crematory failed to file its most current price list with the Cemetery Board with its Annual Report and has failed to make deposits to the cemetery's Maintenance and Preservation Trust Fund on a monthly basis. The Board's initial review disclosed what appears to be a violation of the following:

N.J.C.A.13:44J-5.2(e) A cemetery company shall submit its price list to the Board with its Annual Maintenance and Preservation Trust Fund Report. The price list shall supersede all previous price lists of the cemetery company.

N.J.C.A.13:44J-5.3(c) Monies required to be deposited into the Maintenance and Preservation Fund shall be paid to the fund on a monthly basis. Such deposits shall be made by the last day of the month following the month in which the monies were received. In the event of an installment sale of a grave, crypt or niche, the cemetery company may make the required deposit at the time the deed is issued or when the payments are received.

You are hereby offered the opportunity to settle this matter and avoid the initiation of formal disciplinary proceedings by signing and returning the enclosed certification and paying the following:

\$250.00 fine imposed by the Board for violation of N.J.A.C.13:44J-5.2(e)
\$250.00 fine imposed by the Board for violation of N.J.A.C.13:44J-5.3(c)
\$500.00 Total

Alternatively, you may waive your right to a hearing and submit a written statement or explanation to the Board. The Board will consider this statement and render a final decision.

You may also request a hearing in which case the matter will be scheduled and this notice will serve as a complaint. At the hearing, you may, either personally or with the assistance of an attorney, submit such testimony or other evidence as you may deem necessary in order for the Board to finally determine whether the unlawful acts alleged herein have been proven. Please be advised that if you request a hearing, the Board will not be bound to the terms stated in this letter, and may, after presentation and evaluation of all the evidence presented, impose any of the sanctions contained in N.J.S.A. 8A:10-1. You should also be aware that the Board may assess civil penalties in the amount greater than herein offered in settlement.

Additionally, the Board may, if the facts are found to so warrant, enter an order requiring restoration of any monies acquired by lawful acts, requiring payment of all costs involved in this matter, and directing you to cease and desist from the continued practice of acts found to be unlawful by the Board.

The enclosed certification should be returned to the Board with your indicated course(s) of action within ten (10) days following receipt hereof. In the event that the Board receives no response within ten (10) days, the allegations contained herein shall be deemed admitted and the Board will proceed to finally review the matter and enter an appropriate final decision in relation thereto.

Sincerely,



Susan H. Gartland
Executive Director

SHG/dlt

cc: DAG Nancy Costello Miller
certified mail & regular mail

NOTICE OF VIOLATION

CERTIFICATION

Frank R. Rinando, Jr.
Garden State Crematory

I have received the Board's letter dated January 17, 2001 regarding alleged violations:


PLEASE CHECK APPROPRIATE SECTIONS:

✓

The allegations set forth herein are acknowledged and I enclose herewith a **CERTIFIED CHECK OR MONEY ORDER** in the amount of \$500.00 payable to the New Jersey Cemetery Board.

I hereby waive any right which I may have to a hearing in this matter and submit a written statement for the Board's final consideration in this matter.

A hearing in this matter before the Board is hereby requested.


(SIGNATURE)

C. TRENT HALSELL
(PRINT NAME)

DATE: 1-30-01

CO. NO.	DESCRIPTION	ACCT. NO.	GROSS	DISCOUNT	NET	01/30/01
.090	1999NJFINE	1512-61	\$250.00			
.090		1512-61	\$250.00		\$500.00	

I MANAGEMENT L.P. Texas Commerce Bank, N/A 88-88
1113 NO. 085423

PAY EXACTLY\$*****500AND00CENTS 01/30/01
DATE
AMOUNT
 \$500.00

TO
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DER
OF

 STATE OF NEW JERSEY
 DEPARTMENT OF LAW & PUBLIC SAFETY
 NEW JERSEY CEMETERY BOARD
 124 HALSEY STREET, 6TH FLOOR
 NEWARK, NJ 07101

Lonnie S. Amick

 By and For the Company

 By and For the Company
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